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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ESTATE OF TASHI S. FARMER a/k/a TASHII
FARMER a/k/a TASHII BROWN, by and
through its Special Administrator, Elia Del
Carmen Solano-Patricio; TAMARA BAYLEE
KUUMEALI' MAKAMAE FARMER DUARTE,
a minor, individually and as Successor-in-
Interest, by and through her legal guardian,
Stevandra Lk Kuanoni; ELIAS BAY
KAIMIPONO DUARTE, a minor, individually
and as Successor-in-Interest, by and through his
legal guardian, Stevandra Lk Kuanoni,

Plaintiffs,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a political subdivision of the
State of Nevada; OFFICER KENNETH
LOPERA, individually and in his Official
Capacity; SERGEANT TRAVIS CRUMRINE,
individually and in his Official Capacity;
OFFICER MICHAEL TRAN, individually and in
his Official Capacity; OFFICER MICHAEL
FLORES, individually and in his Official
Capacity; and Does 1 through 50, inclusive.

Defendants.

Case No.: 2:17-cv-01946-JCM-PAL

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND DISCOVERY AND
PRETRIAL DEADLINES**

Third Request

Pursuant to D.NEV.R. 26-4, the Parties stipulate as follows to extend the pretrial deadlines.

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I. STATEMENT OF DISCOVERY COMPLETED.

A. Written Discovery.

The parties have served the following written discovery:

DATE SERVED	WRITTEN DISCOVERY	DATE OF ORIGINAL RESPONSE
10/10/17	LVMPD's first requests for production to the Estate	12/21/17
10/10/17	LVMPD's first requests for production to Tamara Duarte	12/07/17
10/10/17	LVMPD's first requests for production to Elias Duarte	12/07/17
10/10/17	LVMPD's first interrogatories to the Estate	12/21/17
10/10/17	LVMPD's first interrogatories to Tamara Duarte	12/07/17
10/10/17	LVMPD's first interrogatories to Elias Duarte	12/07/17
01/12/18	Officer Lopera's first requests for admissions to the Estate	03/14/18
01/12/18	Officer Lopera's first requests for production to all Plaintiffs	03/14/18
01/12/18	Officer Lopera's first interrogatories to the Estate	03/14/18
03/05/18	Officer Lopera's first interrogatories to Elias Duarte	04/20/18
03/05/18	Officer Lopera's first interrogatories to Tamara Duarte	04/20/18
03/05/18	Officer Lopera's first second requests for production to Elias and Tamara Duarte	04/20/18
04/25/18	Plaintiffs' first requests for admissions to LVMPD	05/29/18
04/25/18	Plaintiffs' first interrogatories to LVMPD	05/30/18
04/25/18	Plaintiffs' first requests for production to LVMPD	05/29/18
06/19/18	Officer Lopera's first requests for production to LVMPD	07/24/18
07/27/18	Plaintiffs' first requests for admissions to Officer Tran	
07/27/18	Plaintiffs' first interrogatories to Officer Tran	
07/27/18	Plaintiffs' first requests for production to Officer Tran	

07/27/18	Plaintiffs' first requests for admissions to Officer Flores	
07/27/18	Plaintiffs' first interrogatories to Officer Flores	
07/27/18	Plaintiffs' first requests for production to Officer Flores	
07/27/18	Plaintiffs' first requests for admissions to Sergeant Crumrine	
07/27/18	Plaintiffs' first interrogatories to Sergeant Crumrine	
07/27/18	Plaintiffs' first requests for production to Sergeant Crumrine	

B. Depositions.

The following depositions have been taken or are scheduled to be taken:

DATE	WITNESS	PARTY WHO NOTICED THE DEPOSITION
12/20/17	Defendant Officer Michael Tran	Plaintiffs
12/20/17	Defendant Officer Ashley Lif	Plaintiffs
12/21/17	Security Guard Marcelino Vivas	Plaintiffs
12/21/17	Security Guard Peter Infantino	Plaintiffs
12/21/17	Sergeant Michael Bland	Plaintiffs
12/27/17	Chief John McGrath	Plaintiffs
12/27/17	Sergeant Travis Crumrine	Plaintiffs
02/08/18	Defendant Officer Michael Flores	Plaintiffs
04/10/18	Stevandra Kuanoni	LVMPD
04/26/18	Jonathan Pierce	Plaintiffs
05/08/18	Trinita Farmer	Plaintiffs
05/31/18	Tamara Duarte	Plaintiffs
05/31/18	Elias Duarte	Plaintiffs
05/31/18	Sandy Morton	Plaintiffs

06/01/18	Jason Kuanoni	LVMPD
06/15/18	Detective Trevor Alsup	Plaintiffs
06/15/18	Detective Marc Colon	Plaintiffs
07/19/18	Treating Physician Dr. Adelisa Lizada	Officer Lopera
07/20/18	Kasey Kirkegard	Plaintiffs
08/21/18	Plaintiffs' Expert Scott Defoe	Officer Lopera
08/22/18	Officer Lopera's Expert Frank Mir	Plaintiffs
08/22/18	Officer Lopera's Expert Jamie Borden	Plaintiffs
08/24/18	Treating Nurse Cathy Vild	Officer Lopera
09/12/18	Coroner Alane Olson, M.D.	Officer Lopera
09/24/18	Defendants' Expert Dr. Gary Vilke	Plaintiffs
09/24/18	Defendants' Expert Dr. Binh Ly	Plaintiffs

C. Expert Witnesses.

To date, the parties have disclosed the following expert witnesses:

EXPERT WITNESS	DISCLOSING PARTY(IES)
Dr. Binh Ly	Defendants (Joint Disclosure)
Dr. Gary Vilke	Defendants (Joint Disclosure)
Dr. Stan v. Smith	Defendants (Joint Disclosure)
John Ryan	LVMPD
Lawrence G. Lynch	LVMPD
Frank Mir	Officer Lopera
Jamie Borden	Officer Lopera
Dr. Alane Olson	Plaintiffs
Dr. Terrence Clauretie	Plaintiffs

Dr. William Smock	Plaintiffs
Scott DeFoe	Plaintiffs

II. DESCRIPTION OF THE REMAINING DISCOVERY.

The parties still need to complete the following depositions:

DATE	DEPOSITION LOCATION	WITNESS	NOTICING PARTY
08/21/18	Las Vegas, NV	Plaintiffs' Expert Scott Defoe	Officer Lopera
08/22/18	Las Vegas, NV	Officer Lopera's Expert Frank Mir	Plaintiffs
08/22/18	Las Vegas, NV	Officer Lopera's Expert Jamie Borden	Plaintiffs
08/24/18	Las Vegas, NV	Treating Nurse Cathy Vild	Officer Lopera
09/12/18	Sequim, WA	Coroner Alane Olson, M.D.	Officer Lopera
09/24/18	San Diego, CA	Defendants' Expert Dr. Gary Vilke	Plaintiffs
09/24/18	San Diego, CA	Defendants' Expert Dr. Binh Ly	Plaintiffs
TBD	Louisville, KY	Plaintiffs' Expert William Smock	Officer Lopera
TBD	Las Vegas, NV	Plaintiffs' Expert Terrence Clauretie	Officer Lopera
TBD	Missouri	LVMPD's Expert Lawrence G. Lynch	Plaintiffs
TBD	Indiana	LVMPD's Expert Jack Ryan	Plaintiffs
TBD	Chicago, IL	Defendants' Expert Dr. Stan V. Smith	Plaintiffs

IV. REASONS WHY THE REMAINING DISCOVERY HAS NOT BEEN COMPLETED.

One of the attorneys representing Plaintiffs, Federico C. Sayre, has two trials in other cases

1 during the current discovery period. Mr. Sayre asked Defendants to stipulate to a thirty day extension
 2 of the discovery deadline, to which Defendants agreed. Officer Lopera's counsel also proposed that the
 3 extension be for forty-five days in case Mr. Sayre's trials were to go longer than anticipated or in the
 4 event any other unforeseen scheduling issues were to arise.

5 On Tuesday, August 7, 2018, Plaintiffs' counsel received from Craig Anderson, counsel for
 6 Defendant Las Vegas Metropolitan Police Department, the report of the Tactical Review Board, Force
 7 Investigation Report, and Critical Incident Review Process report. Plaintiffs would like to take the
 8 depositions of 1) Assistant Sheriff Tim Kelly, Chair; 2) Captain John Pelletier, Board Member; 3)
 9 Sergeant Ryan Evans, Tactical Expert; 4) Sergeant Jose Hernandez Peer Member; and 5) Detective
 10 Travis Ivie, Peer Member.

11 The LVMPD Defendants have agree to three additional depositions including (1) Tim Kelly,
 12 (2) Ryan Evans, and (3) Jose Hernandez. These depositions will be limited to recently produced
 13 documents. The LVMPD Defendants do not agree to five additional defendants. However, the LVMPD
 14 Defendants remain open to discussing additional depositions after the three depositions have been
 15 taken.

16 **V. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY.**

17 TASK	CURRENT DEADLINE	PROPOSED NEW DEADLINE
18 Discovery Cut-Off Date	Wednesday, September 12, 2018	Monday, October 29, 2018
19 Dispositive Motions	Thursday, October 11, 2018	Monday, November 26, 2018
20 Joint Pretrial Order	Monday, November 12, 2018	Thursday, December 27, 2018

21 All other deadlines not expressly addressed above shall remain unchanged.

22 This request for an extension of time is not sought for any improper purpose or other purpose
 23 of delay. The parties have worked together at moving discovery forward and have conducted
 24 significant discovery up to this point.
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1 This is the third request for extension of time in this matter. The parties respectfully submit
2 that the reasons set forth above constitute compelling reasons for the discovery extension.

3 IT IS SO STIPULATED on August 13, 2018.

4 MCNUTT LAW FIRM, P.C.

ABIR COHEN TREYZON SALO, LLP

5 /s/ Dan McNutt
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/s/ Federico C. Sayre
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10 MARQUIS AURBACH COFFING

11 /s/ Craig R. Anderson
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Attorneys for Defendant LVMPD

16 IT IS SO ORDERED:

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18 UNITED STATES MAGISTRATE JUDGE

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20 DATED: August 17, 2018
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